

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTORIA JANE AXFORD	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 09-2914
MARK STEPHEN AXFORD and ROXY	:	
ROOKSTOOL	:	

ORDER

AND NOW, this 10th day of July, 2009, upon consideration Petitioner's Expedited *Ex Parte* Motion for Expedited Service and Surrender of Passports and Travel Documents (Doc. No. 2), and after an *ex parte* hearing at which Petitioner Victoria Jane Axford testified by telephone from her residence in England, it is ORDERED that the *Ex Parte* Motion is GRANTED as follows:

1. A hearing on the Verified Petition for Return of Child to Petitioner (Doc. No. 1) will be held on July 20, 2009, at 9:30 a.m. in Courtroom 8-A, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.
2. Respondents Mark Stephen Axford and Roxy Rookstool shall both appear at the July 20, 2009 hearing and shall bring with them Morgan Lee Axford, a minor child, and shall SHOW CAUSE why Morgan Lee Axford should not be ordered returned to the United Kingdom pursuant to 42 U.S.C. §§ 11601, *et seq.*
3. THE FAILURE OF RESPONDENTS MARK STEPHEN AXFORD AND ROXY ROOKSTOOL TO APPEAR AT THE JULY 20, 2009 HEARING WITH MORGAN LEE AXFORD WILL RESULT IN A BENCH WARRANT FOR THEIR ARREST BY THE UNITED STATES MARSHALS SERVICE PURSUANT TO 18 U.S.C. § 401 AND 42 U.S.C. § 11604(a).

4. Respondents Mark Stephen Axford and Roxy Rookstool SHALL REMAIN IN THE JURISDICTION OF THIS COURT with Morgan Lee Axford until the Petition is adjudicated.
5. The United States Marshals Service is directed to immediately effect personal service of the following documents on Respondents Mark Stephen Axford and Roxy Rookstool, believed to reside at 120 Green Street, Morrisville, Pennsylvania, 19067:
 - a.) This Order and the Memorandum accompanying this Order (attached hereto as “Exhibit A”);
 - b.) The Verified Petition for Return of Child to Petitioner (Doc. No.1) (attached hereto as “Exhibit B”); and
 - d.) Petitioner’s Expedited *Ex Parte* Motion for Expedited Service and Surrender of Passports and Travel Documents (Doc. No. 2) and its accompanying Memorandum of Law (Doc. No. 6) (attached hereto as “Exhibit C”).
6. Respondents Mark Stephen Axford and Roxy Rookstool shall surrender any and all of their passports and the passports of Morgan Lee Axford to the United States Marshals Service immediately upon service of the forgoing documents.
7. The United States Marshals Service is directed to seize any and all passports of Respondents Mark Stephen Axford and Roxy Rookstool and of minor child Morgan Lee Axford and deliver the passports to the Clerk of Court of the United States District Court for the Eastern District of Pennsylvania. The United States

Marshals Service is authorized to enter private property, if necessary, to effect this seizure.

8. The Clerk of Court is directed to retain custody of the passports of Respondents Mark Stephen Axford and Roxy Rookstool and minor child Morgan Lee Axford until further Order of this Court.
9. FAILURE OF RESPONDENTS MARK STEPHEN AXFORD AND ROXY ROOKSTOOL TO COMPLY WITH THIS ORDER WILL RESULT IN CONTEMPT PROCEEDINGS. *See* 18 U.S.C. § 401 (providing that a federal court “shall have power to punish by fine or imprisonment, or both, at its discretion, such contempt of its authority, and none other, as . . . [d]isobedience or resistance to its lawful writ, process, order, rule, decree, or command”).

IT IS SO ORDERED.

BY THE COURT:

A handwritten signature in dark ink, appearing to read 'R. Surrick', written over a horizontal line.

R. Barclay Surrick
United States District Judge